

Mlouhi Center

City of El Paso — City Plan Commission — 12/6/2018

SUSU18-00091 — Major Combination



STAFF CONTACT: Jovani Francia, (915) 212-1613, franciajx@elpasotexas.gov

PROPERTY OWNER: Mlouhi Organization, LP

REPRESENTATIVE: CAD Consulting Co.

LOCATION: North of Montana and West of Airway, District 3

ACREAGE: 1.0613

VESTED: No

PARK FEES REQUIRED: \$1,060.00

EXCEPTION/MODIFICATION REQUEST: 1: Exception to waive the required DSC standards for Airport Road and Montana Avenue.

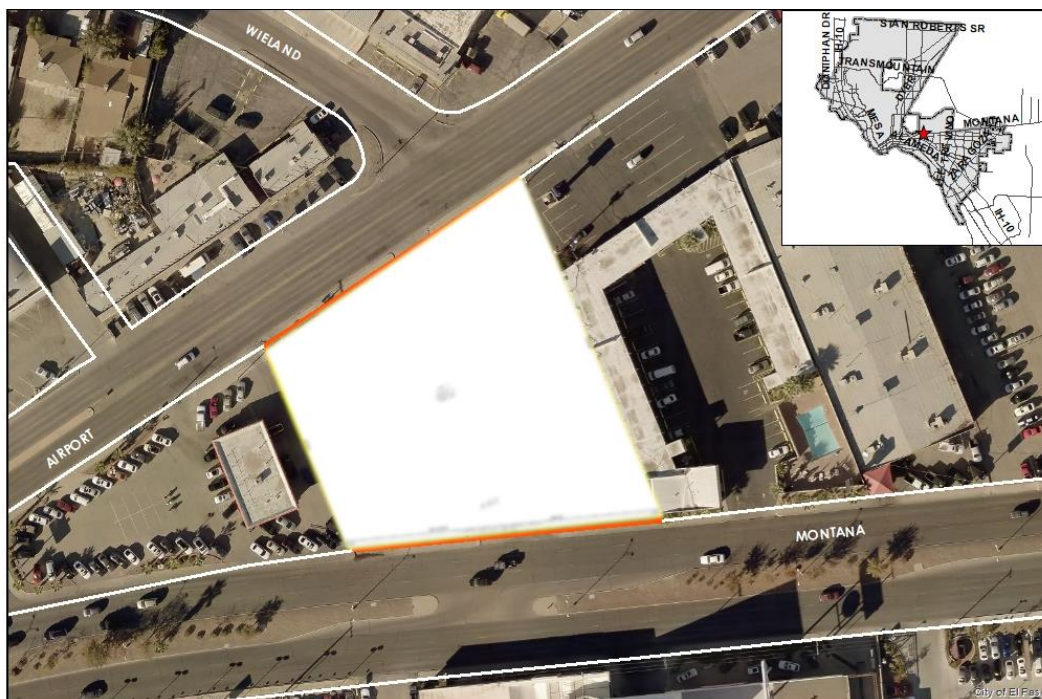
RELATED APPLICATIONS: PZRZ18-00027

PUBLIC INPUT: N/A

STAFF RECOMMENDATION: Denial of Mlouhi Center on a Major Combination basis as it is not in compliance with the right-of-way dedication requirements per 19.10.020-A.

SUMMARY OF REQUEST: The applicant proposes to subdivide 1.0613 acres of land into 1 commercial lot. Primary access to the subdivision is proposed from Montana Avenue and Airport Road. This subdivision is being reviewed under the current subdivision code.

SUMMARY OF DCC RECOMMENDATION: The Development Coordinating Committee recommends **approval** of Mlouhi Center on a Major Combination basis but recommends denial of the exception request. The applicant is requesting to not dedicate the required 20' for Airport Road.



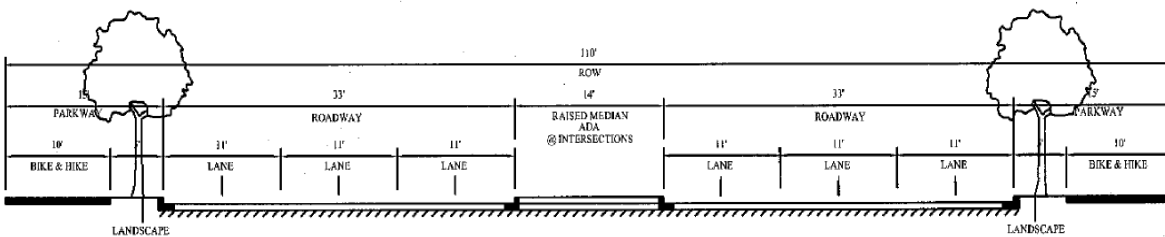
DESCRIPTION OF ANY EXCEPTIONS, MODIFICATIONS, OR WAIVERS

The applicant is requesting the following exception under 19.10.050-A (Roadway participation policies):

Airport Road:

- 40' of roadway participation is required for Airport Road. Only 20' currently exists. An additional 20' of roadway is required. The applicant is requesting to not be required to pave their proportionate share of the roadway.
- The parkway is currently 15', consisting of a 5' sidewalk abutting the street and a 10' parkway abutting the subject property. The applicant is requesting not to be required to install the bike and hike.
- The applicant is required to dedicate an additional 20' of right-of-way. With the request to not be required to pave their proportionate share of the roadway, the dedication would be located within the parkway, bringing the total width to 35'. There is enough right-of-way to install the bike and hike.

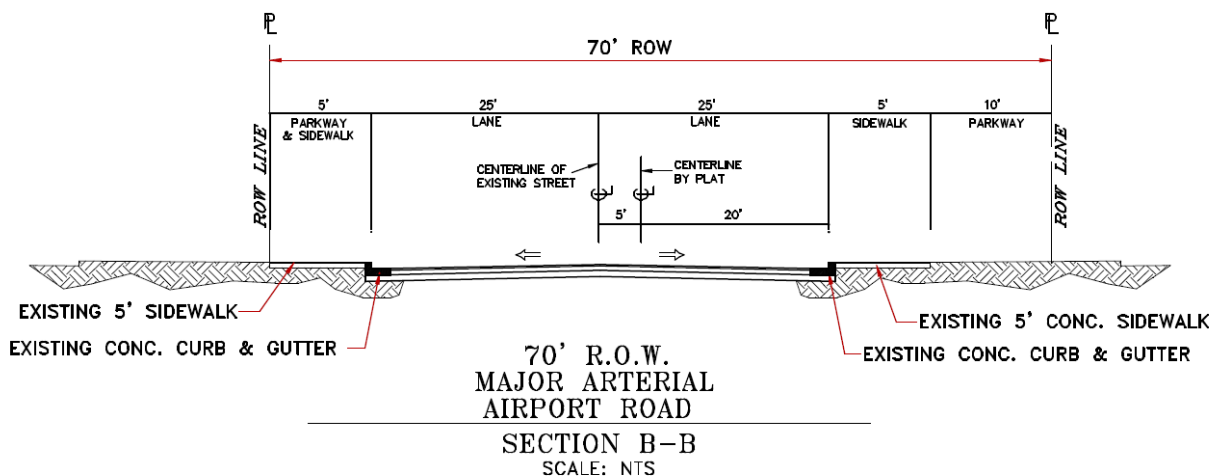
Required:



MAJOR ARTERIAL STREET WITH BIKE/HIKE

SIX (6) LANES

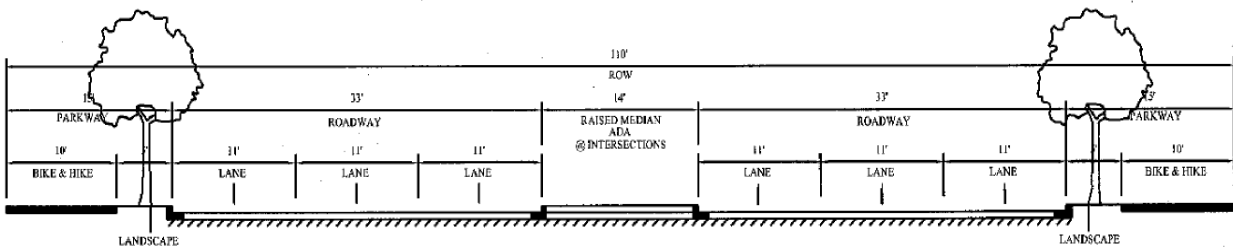
Proposed:



Montana Avenue:

- 40' of roadway participation is required for Montana Avenue. 43' currently exists. This is 3' over the minimum requirement.
- The parkway is currently 7' and consists of a 7' sidewalk which abuts the street. The applicant is requesting to not be required to install the bike and hike.
- The applicant is required to dedicate an additional 5' of right-of-way. Since Montana Avenue is a TXDOT right-of-way, the dedication would be located within the parkway, bringing to total width to 12'.

Required:

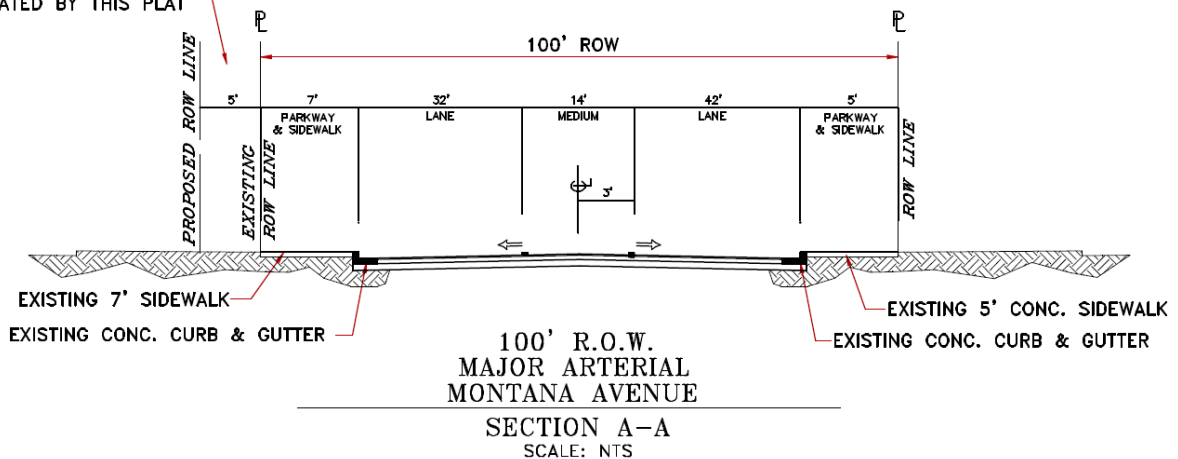


MAJOR ARTERIAL STREET WITH BIKE/HIKE

SIX (6) LANES

Existing:

5' ADDITIONAL RIGHT-OF-WAY
DEDICATED BY THIS PLAT

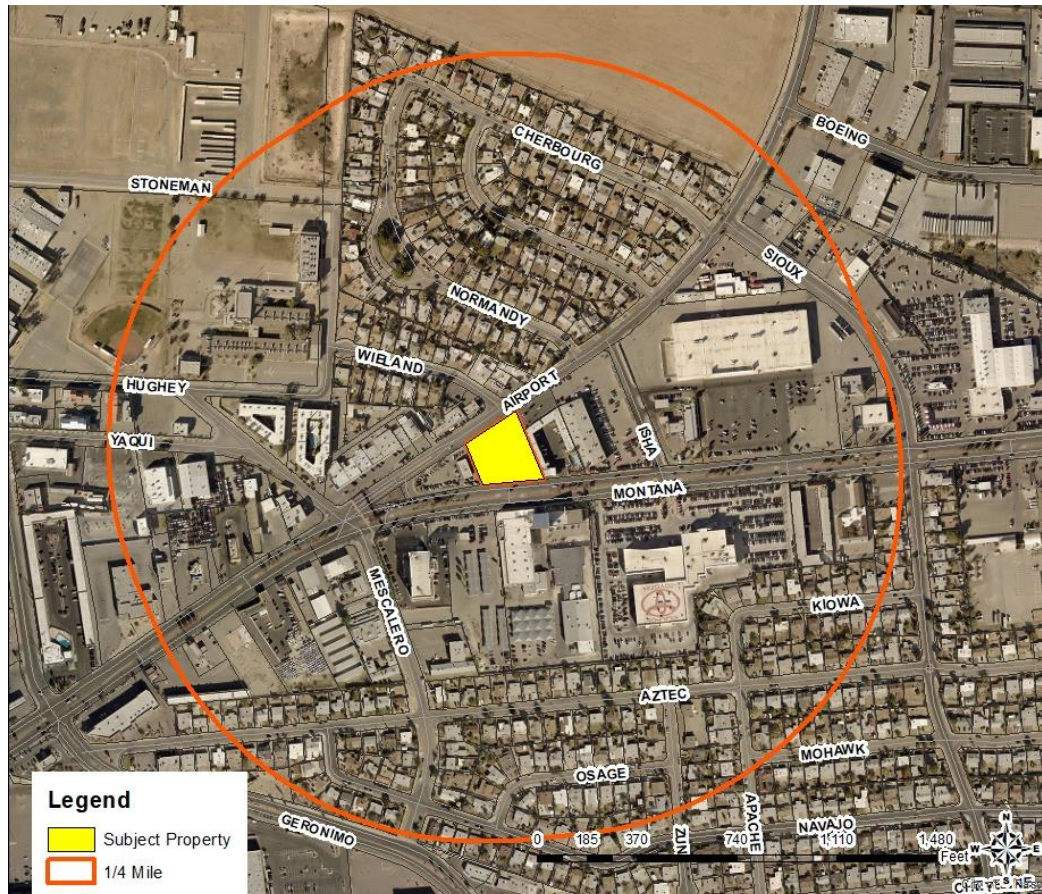


The applicant does meet the following criteria under Section 19.10.050 (Roadway participation policies – Improvement of roads and utilities within and or abutting the subdivision) for requesting an exception. The section reads as follows:

Section 19.10.050-A

1: The City Plan Commission may waive such requirements to provide rights-of-way or street improvements to adjacent roads based on any of the following factors:

- a: Fifty percent of the lots within a quarter mile of the proposed development have already been developed and the existing street improvements are in character with the neighborhood.



NEIGHBORHOOD CHARACTER: Subject property is zoned C-4 (Commercial). Properties adjacent to the subject property are zoned C-2 (Commercial), C-4 (Commercial), and C-4/A-1 (Commercial / Apartment). Surrounding land uses are commercial. The nearest park is Normandy Park (0.11 miles). The nearest school is Hughey Elementary (.11 miles). This property is not located within any Impact Fee Service Areas.

COMMENT FROM THE PUBLIC: N/A

STAFF COMMENTS:

No objections to proposed subdivision.

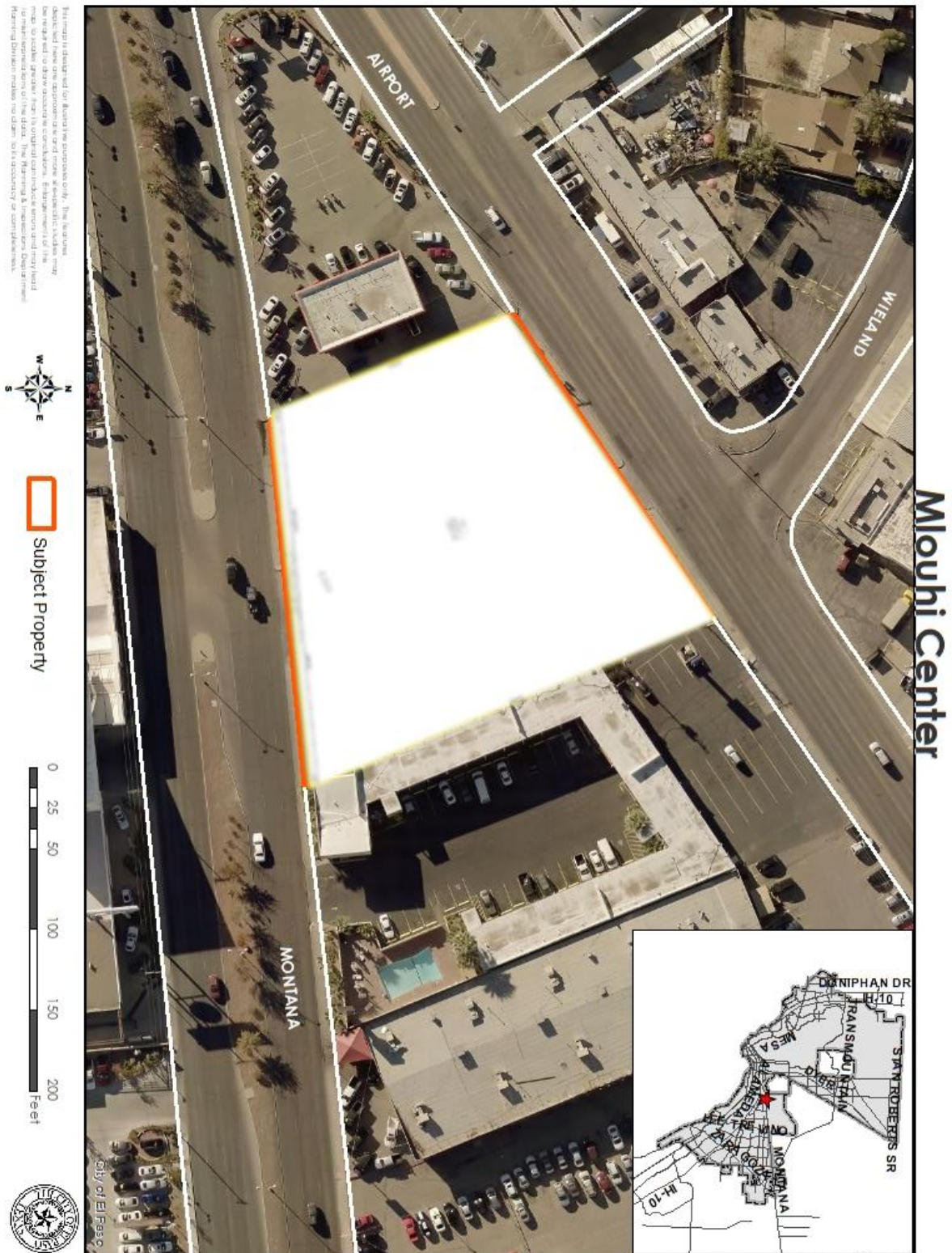
PLAT EXPIRATION:

This application will expire on **December 6, 2021**. If the final plat has not been recorded within the specified date, the final plat approval, unless extended in accordance with Chapter 19.41 (Expiration, extension and reinstatement), shall expire and the applicable plat shall be deemed null and void.

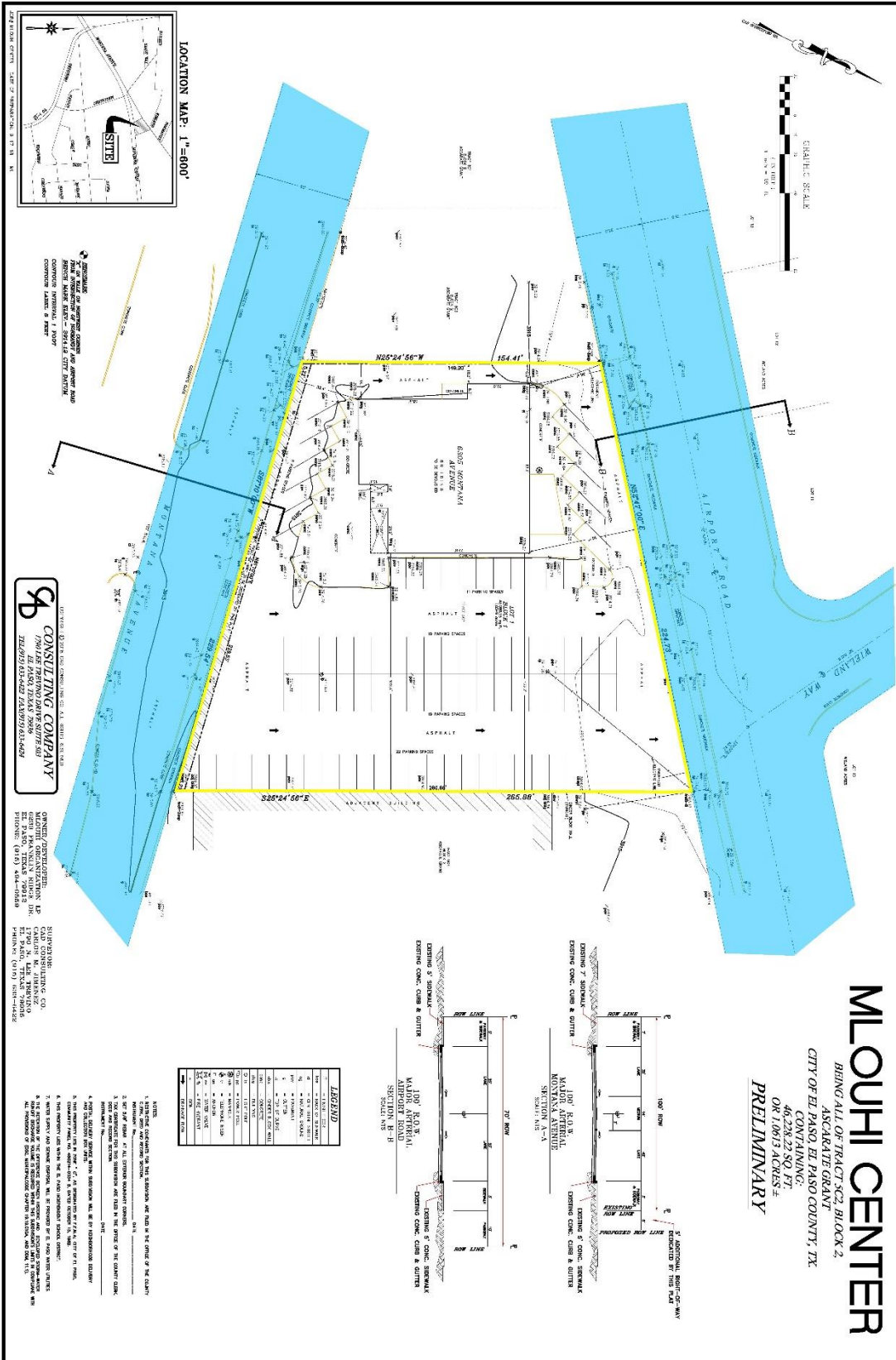
ATTACHMENTS:

1. Location Map
2. Preliminary Plat
3. Final Plat
4. Waiver Request
5. Application
6. Department Comments

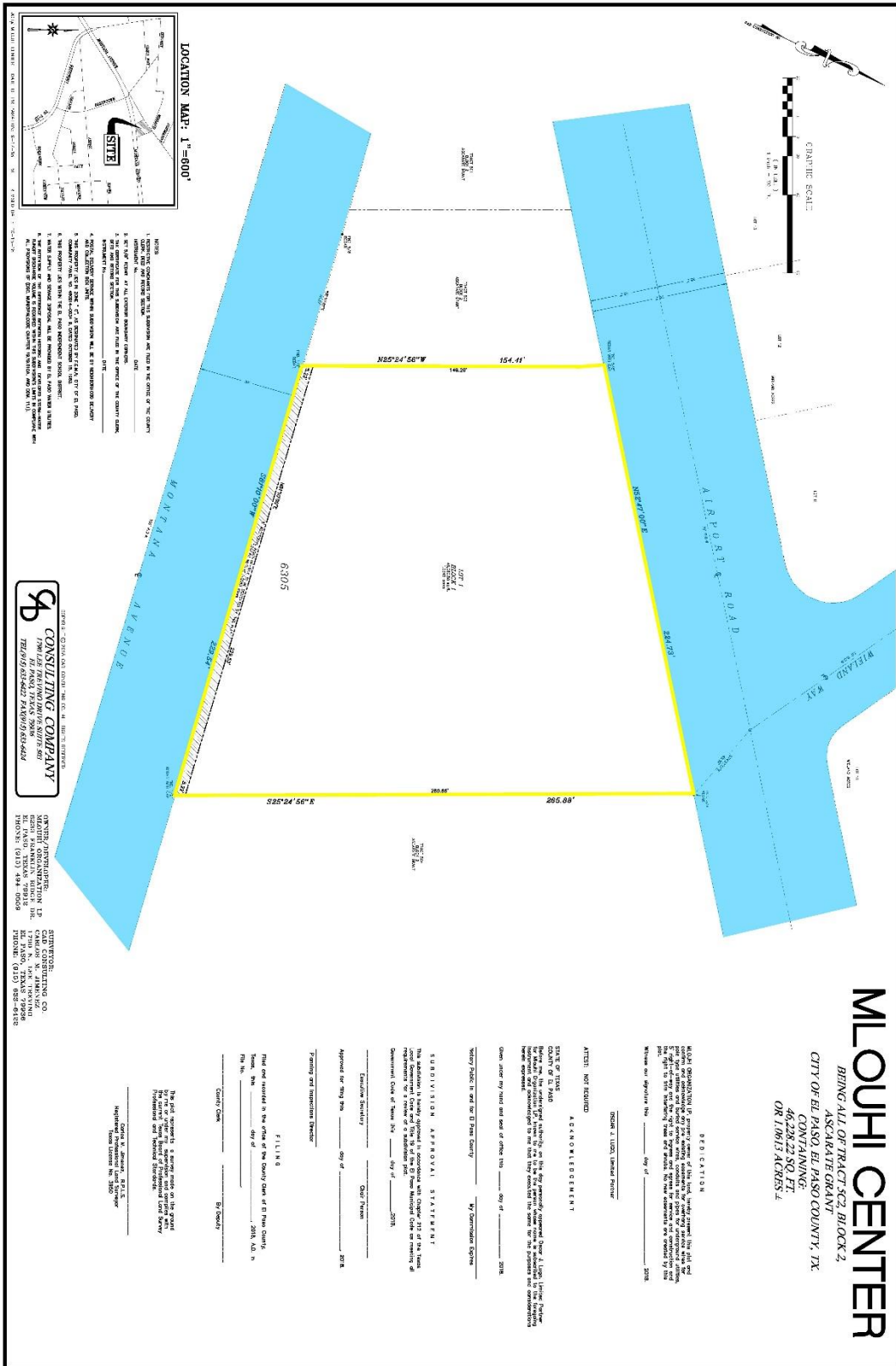
ATTACHMENT 1



ATTACHMENT 2



ATTACHMENT 3



ATTACHMENT 4



October 12, 2018

To: City of El Paso

This is a request for a waiver for the property on 6305 Montana Avenue (Mlouhi Center) on the request from the City of El Paso Planning and Transportation comments regarding roadway improvements. We would like to waive the bike and hike path, parkways, roadway and median widths. This is because Montana Avenue and Airport Road already have existing sidewalks, curbs and lanes and would like to be except as per Section 19.10.050.A.

If you have any questions, please call me at 633-6422.

Sincerely,

A handwritten signature in black ink, appearing to read 'Enrique Ayala'.

Enrique Ayala
CAD Consulting Co.

ATTACHMENT 5



MAJOR COMBINATION APPLICATION

DATE: 10-25-18 FILE NO. SUSU18-00091

SUBDIVISION NAME: MLOUHI CENTER

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)

TRACTS SEC 2 BLOCK 2
ASCARATE GRANT

2. Property Land Uses:

	ACRES	SITES		ACRES	SITES
Single-family	_____	_____	Office	_____	_____
Duplex	_____	_____	Street & Alley	_____	_____
Apartment	_____	_____	Ponding & Drainage	_____	_____
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)	_____	_____
Park	_____	_____	_____	_____	_____
School	_____	_____	_____	_____	_____
Commercial	<u>1.0613</u>	<u>1</u>	Total No. Sites	_____	_____
Industrial	_____	_____	Total (Gross) Acreage	<u>1.0613</u>	_____

3. What is existing zoning of the above described property? C4 Proposed zoning? _____

4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? Yes ☒ No _____

5. What type of utility easements are proposed: Underground _____ Overhead _____ Combination of Both ☒

6. What type of drainage is proposed? (If applicable, list more than one) _____

7. Are special public improvements proposed in connection with development? Yes _____ No ☒

8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes _____ No ☒
If answer is "Yes", please explain the nature of the modification or exception _____

9. Remarks and/or explanation of special circumstances: _____

10. Improvement Plans submitted? Yes _____ No ☒

11. Will the proposed subdivision require the city to review and decide whether this application is subject to the standards in effect prior to the effective date of the current applicable standards? Yes _____ No ☒


If yes, please submit a vested rights petition in accordance with Title I (General Provisions) Chapter 1.04 - Vested Rights

Planning & Inspections Department
811 Texas | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 212-0085

12. Owner of record MLOUHI ORGANIZATION LP 494-0559
(Name & Address) (Zip) (Phone)

13. Developer _____
(Name & Address) (Zip) (Phone)

14. Engineer CAD CONSULTING CO 633-6422
(Name & Address) (Zip) (Phone)

OWNER SIGNATURE: 

REPRESENTATIVE SIGNATURE: Chal

REPRESENTATIVE CONTACT (PHONE): 915-633-6422

REPRESENTATIVE CONTACT (E-MAIL): CADCONSULTING1@AOL.COM

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING
UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION FOR ACCURACY AND
COMPLETENESS.

Planning & Inspections Department
811 Texas | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 212-0085

ATTACHMENT 6

Planning & Inspections Department- Planning Division

Developer / Engineer shall address the following comments:

1: Submit to the Planning & Inspections Department – Planning Division the following prior to recording of the subdivision:

- a: Current certificate tax certificate(s)
- b: Current proof of ownership.
- c: Release of access document, if applicable.
- d: Set of restrictive covenants, if applicable.

2: Every subdivision shall provide for postal delivery service. The subdivider shall coordinate the installation and construction with the United States Postal Service in determining the type of delivery service for the proposed subdivision. In all cases, the type and location of delivery service shall be subject to the approval of the United States Postal Service.

Capital Improvements – Parks

We have reviewed **Mlouhi Center**, a major combination plat map and on behalf of CID Parks & Planning Division, we offer Developer / Engineer the following comments:

Please note that this subdivision is zoned "C-4" meeting the requirements for Non-residential uses (General commercial) as well as for Residential dwellings use (Multi-family) with a minimum lot area of 750 sq. ft. per dwelling however, applicant has submitted copy of preliminary covenants restricting the use to Non-residential uses therefore, "Park fees" will be assessed as follows:

1: **If** applicant provides copy of signed / recorded covenants restricting all residential uses and **if** gross density waiver is granted by the City Manager or the Planning Department designee, then Applicant shall be required to pay "Park fees" in the amount of **\$1,060.00** based on the following calculations:

Acreage 1.06 (rounded to two decimals) @ \$1,000.00 per acre = **\$1,060.00**

Please allocate generated funds under Park Zone: **C-5**

Nearest Park: **Normandy Park**

If density/acreage is increased /decreased or the property zoning /use changes, then "Park fees" will be re-assessed based on applicable conditions.

El Paso County Water Improvement District #1

EPCWID#1 has no comments due to the subdivision not being within its boundaries.

El Paso Water – Engineering

EPWater-PSB does not object to this request.

Water

There is an existing 8-inch diameter water main extending along Airport Road, this main is located approximately 50-feet north of the northern property line. This water main is available for service.

There is an existing 20-inch diameter water main extending along Airport Road, this main is located approximately 8-feet north of the northern property line. No direct service connections are allowed to this water main as per the EPWU-PSB Rules and Regulations.

There is an existing 12-inch diameter water main extending along Montana Avenue. This water main is available for service.

EPWater records indicate there is one (1) 1-1/2-inch water service serving the subject property with 6309 Montana Avenue as the service address.

Previous water pressure from fire hydrant #2681 located at 6318 Montana Avenue and 500-feet west of Isha Way, has yielded a static pressure of 92 psi, a residual pressure of 86 psi, and a discharge of 1,404 gallons per minute. The owner should, for his own protection and at his own expense shall install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the water pressure regulator device.

Sanitary Sewer

There is an existing 18-inch diameter sewer main extending along Airport Road, this main is located approximately 55-feet west of the western property line. No direct service connections are allowed to this water main as per the EPWU-PSB Rules and Regulations. This sanitary sewer main is available for main extensions.

There is an existing 10-inch diameter sewer main extending along Montana Avenue. This sewer main is available for service.

General

Montana Avenue is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within Montana Avenue right-of-way requires written permission from TxDOT.

An application for water and sanitary sewer services should be submitted 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property, and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

Planning and Inspections – Land Development

We have reviewed subject plats and recommend Approval. The Developer / Engineer shall address the following comments:

1: Coordinate with TXDOT and obtain approval for proposed improvements abutting and within TXDOT ROWs.

2: As per Municipal Code: new developments and redevelopments are required to maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding. The code also encourages the use of nonstructural storm-water management such as the preservation of greenspace, water harvesting, and other conservation efforts, to the maximum extent practicable, per Chapter 19.19, Section 19.19.010, and Subparagraph A-2 & A-5.